

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division**

DAVID ANTHONY RUNYON,)	
)	
Petitioner,)	No. 4:15-cv-108
)	Original Criminal No. 4:08-cr-16-3
v.)	CAPITAL §2255 PROCEEDINGS
)	HON. REBECCA BEACH SMITH
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

NOTICE OF APPEAL

COMES NOW the Petitioner, David Anthony Runyon, by and through counsel, and hereby gives notice of his intention to appeal to the United States Court of Appeals for the Fourth Circuit the following rulings of the United States District Court for the Eastern District of Virginia:

1. The Judgment (ECF No. Doc. 561) entered on January 20, 2017, and the attendant Opinion (ECF No. 560) entered on January 19, 2017, denying Petitioner's Amended Motion to Vacate under 28 U.S.C. §2255; and,

2. The Memorandum Order (ECF No. 587) denying Petitioner's timely Motion to Alter or Amend Under Fed. R. Civ. P. 59(e), which the District Court signed on April 27, 2017, but did not enter until June 21, 2017, *see* explanatory Order (ECF No. 586).

The District Court denied a certificate of appealability ("COA"), and Runyon plans to request that the Fourth Circuit grant a COA on multiple issues. *See* Fed. R. App. P. 22(b) & Fourth Circuit Local Rule 22(a)(2).

Respectfully Submitted,

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Dated: August 18, 2017

CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2017, I have electronically filed the foregoing NOTICE OF APPEAL using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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